

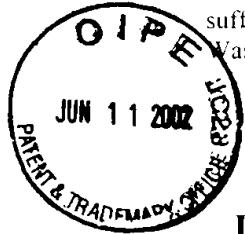
Attorney Docket No.: COAD-004/01US

GP 2874
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on JUNE 4, 2002.

By:

Dolores McKay
Dolores McKay



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Jack R. KELLY, et al.

Serial No.: 10/007,326

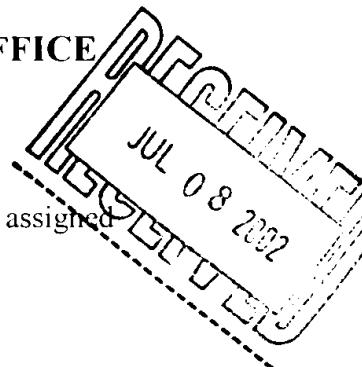
Examiner: Not yet assigned

Confirmation No.: 2028

Art Unit: 2874

Filed: December 5, 2001

For: **APPARATUS AND METHOD FOR CONTROLLING OPTICAL GAIN PROFILES**



Commissioner for Patents
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL**

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
 - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
 - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- A return receipt postcard is also enclosed.
- Please charge \$__ to Deposit Account No. 03-3117 for the total fee. This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Dated: June 3, 2002

Cooley Godward LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663
WSG/dm

By:

Respectfully submitted,
COOLEY GODWARD LLP



William S. Galliani
Reg. No. 33,885



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Jack R. KELLY, et al.

Serial No.: 10/007,326 Examiner: Not yet assigned

Confirmation No.: 2028 Art Unit: 2874

Filed: December 5, 2001

For: **APPARATUS AND METHOD FOR CONTROLLING OPTICAL GAIN PROFILES**

Commissioner for Patents
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. __ to which the above-identified application claims priority under 35 U.S.C. §120.
- Publication(s) __ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to __ application serial no. __ and mailed on __.
- Enclosed is a copy of a non-English publication(s) __. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) __. English language publication __ (copy enclosed) claims priority from this non-English publication.

- Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. ____.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: June 7, 2002

Respectfully submitted,
COOLEY GODWARD LLP

By:



William S. Galliani
Reg. No. 33,885

Cooley Godward LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663
WSG/dm